

Thomas A. Egan (TE 0141)
Flemming Zulack Williamson Zauderer LLP
One Liberty Plaza
New York, New York 10006
(212) 412-9507

and

Jan P. Weir (admitted *pro hac vice*)
Steven M. Hanle (admitted *pro hac vice*)
Jennifer A. Trusso (admitted *pro hac vice*)
Douglas Q. Hahn (DH 3032)
Stradling Yocca Carlson & Rauth
660 Newport Center Dr., Suite 1600
Newport Center, CA 92660
(949) 725-4000

Attorneys for Defendant
Apollo Enterprise Solutions, LLC

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DEBT RESOLVE, INC.,

Plaintiff,

-v-

APOLLO ENTERPRISE SOLUTIONS, LLC,
Defendant.

07-cv-4531(JSR)

ECF Designated Case

**Oral Argument: September 18, 2007
2:00 p.m.**

**NOTICE OF MOTION FOR SUMMARY JUDGMENT OF PATENT
NON-INFRINGEMENT AND FOR LEAVE TO FILE UNDER SEAL**


PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in Support of Defendant's Motion for Summary Judgment of Patent Non-Infringement, the Declaration of Jennifer A. Trusso, Defendant's Local Rule 56.1 Statement and the pleadings in this action,

Defendant Apollo Enterprise Solutions, LLC, by and through its undersigned counsel, shall move this Court at the Courthouse located at 500 Pearl Street, New York, New York 10007, before the Honorable Jed S. Rakoff on September 18, 2007 at 2:00 p.m. or as soon thereafter as counsel can be heard for an Order granting summary judgment that Apollo's Intelligent Debt Solutions system does not infringe Plaintiff Debt Resolve, Inc.'s U.S. Patent Nos. 6,330,551 and 6,954,741.

Pursuant to this Court's August 10, 2007 Order, Plaintiff's Opposition, if any, is due on September 6, 2007 and Defendant's Reply is due on September 13, 2007.

PLEASE TAKE FURTHER NOTICE, that upon the accompanying Motion for Leave to File Under Seal and [Proposed] Order, Defendant Apollo Enterprise Solutions, LLC, by and through its undersigned counsel, moves for an Order granting Defendant Apollo Enterprise Solutions, LLC leave to file its foregoing Memorandum of Law in Support of Defendant's Motion for Summary Judgment of Patent Non-Infringement, the Declaration of Jennifer A. Trusso and Defendant's Local Rule 56.1 Statement under seal.

Date: August 20, 2007
Newport Beach, California

By: 
Jan-P. Weir (admitted *pro hac vice*)
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